



4. Products created by these users remain “virtual” in online seller stores until ordered by the user or a customer, at which point they are manufactured and shipped.

5. To use the website, Zazzle’s users warrant that they are the creators and owners of the content they upload to Zazzle’s website (or have the lawful right to do so) and are ultimately responsible for the use of that content and the products they submit. Zazzle provides information about intellectual property and guidelines for its users to prevent infringing material from being uploaded. Upon proper notification about possible infringement, Zazzle will promptly investigate, respond, and act to prevent infringing activity.

6. In July 2019, Brothers and Sisters in Christ, LLC, sent Zazzle a cease and desist letter. After investigating, Zazzle located and removed 28 allegedly infringing products and deactivated seller stores that offered the allegedly infringing products.

7. I have reviewed Zazzle’s records and confirmed that there has only been a single sale of one of the allegedly infringing products. That sale was of a t-shirt. It was sold on November 28, 2019, to Jackie Frerichs, residing in Clayton, Missouri. Zazzle was able to remove the products in question before any other sales were made.

8. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15<sup>th</sup> of April 2020, in \_\_\_\_\_.

*Jennifer McNulty-Squiers*

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Jennifer Ashlen McNulty-Squiers

**CERTIFICATE OF SERVICE BY E-FILING**

I hereby certify that on April 16, 2020, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

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*Attorneys for Plaintiff Brothers and Sisters in Christ, LLC*

Dated this 16th the day of April 2020 in Palo Alto, California.

/s/ Jamie Y. Otto

Jamie Y. Otto